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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

PROVISIONAL VERBATIM RECORD OF THE 1373rd MEETING

Held at Headquarters, New York,
on Wednesday, 15 August 1990, at 3 p.m.

Chairman: Mr. TADESSE (Ethiopia)

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Special Committee decision of 17 August 1989 concerning Puerto Rico (continued)

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The meeting was called to order at 3.45 p.m.

SPECIAL COMMITTEE DECISION OF 17 AUGUST 1989 CONCERNING PUERTO RICO
(A/AC.109/L.1746) (continued)

The CHAIRMAN: We shall now resume the hearings on this item.

At the invitation of the Chairman, Mr. Agustin Laó (Instituto de Derechos Humanos de Puerto Rico) took a place at the Committee table.

Mr. LAO (interpretation from Spanish): My name is Agustin Laó. I am a human rights activist currently residing in the United States. I have been asked to read a statement on behalf of the Instituto de Derechos Humanos de Puerto Rico, an institution internationally recognized as a defender of the human rights of the Puerto Rican people.

On 10 December 1948 the United Nations General Assembly proclaimed the Universal Declaration of Human Rights. Subsequently, in 1976, three instruments were adopted to implement it: the International Covenant of Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the latter.

While the Congress of the United States - which has jurisdiction over Puerto Rico because Puerto Rico is a United States colony - has not ratified the Covenants, the then President, Jimmy Carter, signed them in 1979, and therefore the United States of America is legally and morally bound to comply with those instruments, as well as the Declaration.

However, in Puerto Rico, there are daily violations of the most elementary human rights, which we shall now proceed to list:

Article 12 of the Universal Declaration of Human Rights states:

"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

(Mr. Laó)

The colonial Government of Puerto Rico, with the approval of the United States Government, has been systematically violating that article by subjecting the Puerto Rican independence movement for almost a century to the most cruel sort of political persecution. In that time, that Government has repeatedly and arbitrarily persecuted and imprisoned the members of the independence movement. The President of the Instituto de Derechos Humanos de Puerto Rico is a living example of such persecution. A short time after the founding of the Instituto, the police agency of the Federal Government of the United States, the Federal Bureau of Investigation, better known by the initials FBI, raided his home and seized countless personal articles, legal files, books and documents belonging to him and his family.

Article 15 of the Declaration establishes the right to a nationality.

Article 27 of the Covenant on Civil and Political Rights establishes the right of minorities to enjoy their own culture, to profess their own religion and to use their own language. The people of Puerto Rico constitute a nationality and, at the same time, a minority in the United States. However, the Federal Government of the United States maintains a federal court in Puerto Rico with broad powers to intervene in Puerto Rico's internal affairs. In that court, as in all agencies of the Federal Government, proceedings are conducted in English, which constitutes an additional violation perpetrated against Puerto Rican culture.

Article 3 of the Declaration establishes the right to liberty. Again, the colonial situation of Puerto Rico bears witness to the daily violation of that article by the United States.

The Government of the United States is mercilessly persecuting all Puerto Ricans who express political or ideological opinions which run counter to the opinions of that Government, and thus the United States is violating article 19 of the Declaration, which guarantees freedom of opinion and expression.

(Mr. Laó)

Similarly, there are violations of article 18 of the Declaration, which establishes the right to freedom of thought, of article 21 of the Covenant on Civil and Political Rights, which guarantees the right of peaceful assembly, and of article 22 of that Covenant, which deals with freedom of association.

The right to the equal protection of the law, without any discrimination, which is guaranteed by article 26 of that Covenant, is consistently being violated, since Puerto Ricans are treated as second-class citizens and suffer discrimination in employment, in access to the legal system and in their daily life.

Article 3 of the Declaration also guarantees the right to life, which has been violated on many occasions by the police and death-squad murders of dozens of independence advocates since the United States invaded and occupied Puerto Rico in 1898.

The high level of unemployment in Puerto Rico, acknowledged in official figures to be more than 20 per cent, shows the violation of article 23 of the Declaration, in which the right to work is guaranteed.

The chaos in Puerto Rico's educational system, which is the voice of the people in the country's press and culture, bears witness to the violation of article 13 of the Covenant on Economic, Social and Cultural Rights.

Lastly, for the reasons I have mentioned, it is evident that there are violations of article 2 of the Declaration, which establishes that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind.

The Instituto de Derechos Humanos de Puerto Rico condemns these gross violations of the most important documents guaranteeing human rights throughout the world. We take this opportunity to urge the Committee to take action to halt the

(Mr. Laó)

United States Government's daily violation of human rights in Puerto Rico. Since the United States Government is responsible for ensuring compliance with the provisions of the Declaration and the Covenants in Puerto Rico, the achievement of independence would make it possible to put an end to such violations.

Mr. Laó withdrew.

At the invitation of the Chairman, Mr. Richard J. Harvey (International Association of Democratic Lawyers) took a place at the Committee table.

The CHAIRMAN: I call on Mr. Harvey.

Mr. HARVEY (International Association of Democratic Lawyers): On behalf of the International Association of Democratic Lawyers (IADL), I thank the Committee for allowing us the opportunity to appear once more before it and to articulate our support for the right of the people of Puerto Rico to self-determination and independence.

Our association held its thirteenth congress in Barcelona, Spain, in March of this year, a congress attended by representatives from the majority of IADL's affiliates in more than 95 States Members of the United Nations, comprising many hundreds of thousands of lawyers, judges, law professors and students. Those representatives included one from the International Committee of the Colegio de Abogados de Puerto Rico, which is affiliated with our association, and representatives from more Latin American countries than at any time in the more than 40 years of our association's existence.

Not only did these lawyers condemn the continued colonial manoeuvres of the United States towards the people of Puerto Rico, but they also brought the most urgent messages of concern from their local bar associations at the gross violations of international law resulting from such actions by the United States as its invasion of Panama, its destabilization of Nicaragua and its attack on the sovereignty of the People's Republic of Cuba by means of the United States Government-sponsored TV Marti.

The Special Committee is meeting at a time when significant international political changes are afoot in all parts of the world. In some regions, such as Eastern Europe, hostile relations between Governments have given way to what appear to be stupendous social transformations in which barriers that had stood for over

(Mr. Harvey)

a generation disappeared overnight. In southern Africa, the Republic of Namibia, under the leadership of the majority party, the South West Africa People's Organization (SWAPO), has taken its seat in the United Nations, and this body has had the privilege of seeing and hearing the formidable presence of Nelson Mandela, Deputy President of the African National Congress of South Africa, released after over 27 years of imprisonment and heading the collective leadership of his people in talks which at long last offer hope of a truly democratic, non-racist, non-sexist, unitary State of South Africa.

However, elsewhere all is not well. The people of Panama and the people of Nicaragua have suffered cruelly and without any legal or moral justification at the hands of United States imperial policy. Both of those peoples are entitled to massive reparations to help them rebuild their economies and master their own resources in their own interests.

The United States Government and its allegedly free media have launched and continue to sustain in unison the shrillest chorus of hostility and implied menace towards the Government and the people of Cuba that has been heard in the past 30 years. Indeed, the climate has been compared by many to the war-mongering press hysteria which preceded and actually created the Maine incident in 1898, leading to the war of aggression against Spain and its colonies which led to the direct reason why all of us are here today: the military occupation and attempted enslavement of the Puerto Rican people. The power of the Government to mislead its people through the media was great in 1898; today it is incomparably greater.

This brings us to consider whether the proposal to hold a so-called plebiscite on Puerto Rico's future is indeed a genuine concession to the international community that the present status of the island is illegal and colonial or whether, on the other hand, it is merely a public-relations exercise aimed at excluding

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(Mr. Harvey)

United Nations authority and deluding Puerto Ricans in their homeland and in exile in the United States.

Without the Special Committee's annually repeated resolve to keep the situation of Puerto Rico under review, it is certain that the United States would never have agreed to a plebiscite in any shape or form. Our association has resolved to monitor closely the nature of the plebiscite, with particular reference to the criteria for eligibility to vote and the proper transfer of powers, which is a precondition for the free exercise of the right of self-determination, as prescribed by paragraph 5 of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

It is not for us to dictate what constitute the acceptable terms for the transfer of powers. The decolonization resolution provides that this is for the people themselves to determine "in accordance with their freely expressed will and desire" (resolution 1514 (XV), para. 5). We simply urge the Committee to consult with the Secretary-General in order to discuss how the people of Puerto Rico and the international community as a whole may best be assured that that necessary transfer of powers will take place sufficiently in advance of the voting procedure to minimize the danger of undue influence on the part of the colonial Power. Just as our association assisted with the sending of numerous delegations to observe the Namibian voting process, so we pledge to the Committee and to the people of Puerto Rico our determination to observe any process which may occur in Puerto Rico and to report back to the Committee thereon.

At our association's thirteenth congress, this year, we adopted a resolution calling on the United States to release unconditionally all those Puerto Rican prisoners and detainees charged or convicted for their actions in support of self-determination for their country. We further called on the United States to

(Mr. Harvey)

cease all military and paramilitary repression through its armed forces, Central Intelligence Agency (CIA) and Federal Bureau of Investigation (FBI). That we did in the spirit of paragraph 4 of the decolonization resolution, which mandates that

"All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected". (para. 4)

In the spirit of our association's motto, "Law in the service of peace", the International Association of Democratic Lawyers joins with other organizations that addressed the Committee today and yesterday in asking not only that the Special Committee should keep the question of Puerto Rico under review but also that it should consult with the Secretary-General to determine how best to monitor the proposals of the United States to conduct a plebiscite.

There are some voices at the United Nations today which would suggest that in the new world climate the Special Committee has discharged its functions and should wind up its affairs. Such a result would certainly be most pleasing to the United States Government. However, while some countries are redefining themselves in a process of self-determination, others remain enchained by their colonial past.

I returned the day before yesterday from the oldest colony in the world, where numerous Irish women and men active in their own self-determination struggle asked me to convey to the Committee their unwavering support for their sisters and brothers in Puerto Rico. In their name and in that of the International Association of Democratic Lawyers, I ask the Special Committee to continue its invaluable work and keep the question of Puerto Rico and all other colonial situations under review.

Mr. Harvey withdrew.

At the invitation of the Chairman, Mr. Christopher E. Henry (Brehon Law Society) took a place at the Committee table.

The CHAIRMAN: I call on Mr. Henry.

Mr. HENRY (Brehon Law Society): My name is Christopher Henry, and I represent the New York chapter of the Brehon Law Society. Nationwide in scope, the Brehon Societies are composed of over 1,000 Irish-American lawyers, judges, magistrates, professors and law-enforcement officers. Our delegation appears here today to lend moral, political and academic support to our brothers and sisters in Puerto Rico, who seek nothing more than freedom and independence from foreign domination. As an ethnic group with an 800-year-long struggle against colonialism, we Irish are in a unique position to understand and empathize with the Puerto Rican people.

(Mr. Henry)

The Brehon Law Society applauds the work of the Special Committee and its steadfast resolve to eradicate colonialism from the face of global politics. We are fully cognizant of the fact that, without the presence of the Special Committee, many nations which are now free would instead remain in bondage today. What, then, has happened to the people of Puerto Rico? Why is their freedom and independence so elusive?

The United States Government has proposed a plebiscite, which the dictionary defines as a vote of the people on a proposal submitted to them. By what authority does the United States Government claim the right to conduct such an election? By what authority does the United States Government, which has by force of arms occupied the nation of Puerto Rico for nearly a century, claim the right to submit a proposal to the Puerto Rican people concerning their future?

Any election conducted by the United States Government in Puerto Rico is simply a continuation of colonialism and a thinly veiled attempt to continue to control the people and nation of Puerto Rico through undemocratic means. Although at first glance such an election might appear to be democratic in nature, one must look to the legal authority by which it would be conducted. And the fact is that the people of Puerto Rico have never freely and voluntarily chosen to associate themselves with the United States Government. If the United States were invaded by an enemy army, would the American people ever accept any election orchestrated by that invader? Why then should the people of Puerto Rico accept the same?

The Brehon Law Society and the countless other Irish-American organizations which have declared their support for Puerto Rican independence and self-determination are integral components of a vast ethnic community numbering over 40 million persons in the United States. Puerto Rico's concerns have become our concerns because of the extraordinary similarities in the histories of our two island nations. Ireland and Puerto Rico, each populated by only a few million

(Mr. Henry)

persons, have withstood centuries of invasions by larger, stronger mainland neighbours who sought the strategic importance which the islands offered. In both cases the colonial Power attempted to destroy the language, customs and cultural identity of the conquered people. In each case the colonial Power failed miserably to do so. This is because of one fact that colonial Powers cannot accept or comprehend, and that is that the spirit of freedom is metaphysical; it can be neither contained nor destroyed by the armed force of an oppressor.

Since our delegation last appeared before the Special Committee, Governments have fallen like autumn leaves as the people of the world have demanded democratic reforms. How sadly ironic it is that the United States, a nation which itself was born of revolution, and whose bill of rights has inspired freedom fighters on every continent, should at this time in its history oppose the full exercise of power which is the rightful property of the Puerto Rican people. And how foolish it is of the United States Government to think that such a shameful exercise as the proposed plebiscite election will weaken or destroy the Puerto Rican independence movement.

The nation of Puerto Rico belongs to the people of Puerto Rico. How long must they wait for the nation which was stolen from their grandparents to be returned to its rightful owners? And what about the children of Puerto Rico? Will they grow up as free citizens in their own country, or will they have a foreign flag forced upon them? Will they know the joy and love of their own heritage and culture, or will they live in a land where that heritage and culture has been destroyed?

In summary, the Brehon Law Society, through repeated testimony before this Committee since 1986 and through continuous resolutions passed legislatively in its own body, recognizes the right of the people of Puerto Rico to self-determination and independence, freedom and sovereignty. We condemn the injustice of colonialism everywhere, but in Puerto Rico and in Ireland particularly, and call upon the

(Mr. Henry)

Special Committee on Decolonization to join in that condemnation. And, finally, we say to our friends in the Puerto Rican community that we are grateful for this opportunity to join with you today and to lend our support, and that we look forward to the day when both Ireland and Puerto Rico will be sovereign and free.

The petitioner withdrew.

The CHAIRMAN: We have concluded the hearings on this item. On behalf of the Committee and on my own behalf I wish to express appreciation to the representatives of the organizations concerned for their statements and the information they have furnished to the Committee.

I now call on the representative of Venezuela to introduce draft resolution L.1747.

Mr. CARNEVALI-VILLEGAS (Venezuela) (interpretation from Spanish): The draft resolution Venezuela is submitting on the Special Committee decision of 17 August 1989 concerning Puerto Rico (A/AC.109/L.1747), which has been distributed in the official languages, does not require lengthy comment, but I shall explain why my Government has taken this initiative.

As the Committee knows, Venezuela has tirelessly supported the principle of self-determination of peoples enshrined in the United Nations Charter, in historic resolution 1514 (XV) of the General Assembly, and in international covenants on civil and political rights and economic, social and cultural rights. Venezuela's position in the Special Committee, of which it is a founding member, has been one of active solidarity with the decolonizing process that has led to the inclusion of many new sovereign States in our Organization, thereby enriching and strengthening it.

This position of Venezuela is based upon principles and values deeply rooted in our national consciousness and set forth in the preamble to our Constitution.

(Mr. Carnevali-Villegas, Venezuela)

With regard to the case of Puerto Rico, its people's Latin American nature is an obvious reality and its fate is of particular importance to us. My Government considers that the innate right of peoples to self-determination cannot be restricted by the choice of limited autonomy. That is why we acknowledge the relevance of resolution 1514 (XV) to the case of Puerto Rico, and the competence of the Committee to consider its evolution until its status has been determined by the sovereign exercise of self-determination.

My delegation recently told the Committee that a consensus was emerging in Puerto Rico that would make it possible to establish a framework for its relations with the United States of America. That process was given special impetus last year when the United States Congress, on the request of the major Puerto Rican political parties and the North American Administration itself, began to consider ways and means of meeting that legitimate hope. My delegation considers the process has now developed sufficiently for the Committee carefully to study it.

(Mr. Carnevali-Villegas, Venezuela)

In the operative part, the Special Committee reaffirms the inalienable right of the people of Puerto Rico to self-determination and independence, in conformity with General Assembly resolution 1514 (XV) of 14 December 1960. It also expresses the hope of the Special Committee and the international community that, in accordance with the best interests of the people of Puerto Rico, the dialogue should continue and that legal measures should be adopted which will bring to a successful conclusion and, as soon as possible, a process leading to the self-determination of the Puerto Rican people.

Similarly, in paragraph 3 it exhorts all the interested parties to co-operate so that the people of Puerto Rico may exercise without hindrance their right to self-determination with the express recognition of the people's sovereignty and full political equality, in conformity with the doctrine and practice of the United Nations. Lastly, it decides to keep the question of Puerto Rico under continuing review.

Venezuela is introducing the draft resolution to the Committee after making a detailed analysis of the international situation that would apply to the case and of the development of the process leading to the self-determination of Puerto Rico, which, in the light of obligations stemming from the mandate of our Committee, deserves continuing and careful study on our part.

Mr. ALARCON de QUESADA (Cuba) (interpretation from Spanish): Over the years, our delegation has had occasion to refer to the colonial situation of Puerto Rico extensively and in great detail in the Special Committee on decolonization and in other United Nations bodies. In the present circumstances we prefer merely to make a few comments which we believe members of the Committee should bear in mind when they vote on the draft resolution that has just been introduced.

(Mr. Alarcon de Quesada, Cuba)

As is well known, for a long time - indeed, for several decades - the Committee has faced strong opposition from the administering Power to even discussing the issue of Puerto Rico. The main allegation in the United States arguments adduced to prevent the international community from adopting just and definitive positions with regard to that colonial situation was that there is no colonial situation involved and that the matter was resolved once and for all several decades ago.

Yesterday and today, the Committee has had the opportunity to hear a large number of statements made by a variety of individuals and organizations from Puerto Rico. While reflecting a variety of opinions with regard to the ways and means that should be used to resolve the question, those statements also clearly reflected a fundamental consensus on one point - that Puerto Rico is a colonial territory. That was stated several times even by a representative of a political organization in the Territory that advocates its full annexation to the United States. There is consensus that this is a colonial situation and, furthermore, that the Committee should exercise its jurisdiction and fulfil its obligations in this matter.

But in addition, this year the Committee is considering the situation under truly favourable conditions. On the one hand, the leaders of the three political parties represented in the Puerto Rican Legislative Assembly came to an agreement some months ago to make a joint request to the President and the Congress of the United States to adopt legislation for a consultation of the people of Puerto Rico so that they might exercise a right they had been denied in the past, that of freely determining their political status.

(Mr. Alarcon de Quesada, Cuba)

On the other hand, the President of the United States himself, in a message to the Congress of the United States, proposed holding what he has referred to as a referendum in Puerto Rico, so that the people of Puerto Rico might decide its own political destiny. For some months already, the United States Senate and House of Representatives have been discussing some ideas on possible legislation on that subject.

Can anyone then say with any seriousness that this case was finally closed in 1953? Can anyone continue with any seriousness to advance the argument of the administering Power - that there is no problem in connection with the Puerto Rican people's determination of its own destiny? It seems quite clear to us that the Committee now has a much easier task. It can no longer be alleged by the administering Power that the case is closed.

What does exist, however, is yet another attempt to manipulate what could become the formula that will allow that people to determine its own future. That is precisely the area in which this Committee has the most inescapable obligation. The Special Committee is in duty bound to ensure application of the norms and principles of General Assembly resolution 1514 (XV) to all colonial and Trust Territories and all Territories that have not yet achieved independence. That means that every people should be able to determine its own destiny in full freedom and under such conditions that no one can hinder or interfere with its free choice. In other words, we have the obligation to ensure that in any process designed to enable the people of Puerto Rico to carry out a process of self-determination in the near future our Organization's principles of decolonization and the practice that our Committee has been applying or ensuring since its inception are truly maintained.

(Mr. Alarcon de Quesada, Cuba)

We believe that an analysis of Puerto Rican realities - and many petitioners have given us ample information on that subject - clearly shows that in order to ensure that the process in question is really carried out in an internationally acceptable manner, it is essential to establish some conditions that do not yet exist. In our opinion, any such process should be based first and foremost on the creation of the necessary conditions to enable the people to decide by itself, without any pressure or interference on the part of the administering Power. Let us recall, as pointed out in statements made by some of the representatives of Puerto Rico who have taken part in the discussion, that in the statement made by the President of the United States himself proposing that such an exercise should be carried out, he expressed a preference for the formula of definitive statehood, which would mean annexation of the Territory to the metropolitan country. Clearly, by such a statement and by other methods that are expressed in the powerful military, economic and propaganda presence of the United States in the Territory, the Administration in Washington is giving signs of attempting to influence that process in the direction of what the metropolitan Power would prefer.

(Mr. Alarcon de Quesada, Cuba)

Furthermore, it seems to us that a process that is supposed to be carried out in keeping with the principle of the self-determination of peoples cannot be left in the hands of parliamentary committees of the administering Power, which are apparently going to arrogate to themselves the power to decide, in the final analysis, whether the so-called decision by the people is acceptable to them. If that were to be allowed, there would not have been a plebiscite in the real meaning of the word. Rather, there would have been a kind of opinion poll. Such polls are often taken in the United States, but they have no real value for deciding on so fundamental an issue as the fate of a people.

For those reasons, we believe that the Special Committee must act in such a way as to take account of the circumstances that have arisen since we last met and that it must adopt a position of continued vigilance on this problem. Next year we should look at the problem again in the light of any new developments concerning these recent announcements about the case of Puerto Rico.

On the basis of those views, my delegation has examined the draft resolution in document A/AC.109/L.1747, just introduced by the representative of Venezuela.

First and foremost, we wish to say that we fully support this draft resolution. We identify entirely with its contents. Like many other delegations in the Committee, we had consultations with the delegation of Venezuela from the very moment it took this initiative, which we welcome. For the record, we wish to state that we have decided to join Venezuela in sponsoring the draft resolution, which the Committee will soon be considering.

We hail Venezuela for the stand it has taken on the case of Puerto Rico for some time - but particularly this year. We feel that Venezuela has submitted a text which truly sets forth what the Committee should do, in measured and well-balanced language, and that this text should therefore receive the broadest support of this body of the Organization.

(Mr. Alarcon de Quesada, Cuba)

Thus, this co-sponsorship of the draft resolution unites two Latin American and Caribbean countries, Cuba and Venezuela, which are members of the Special Committee and are the closest to Puerto Rico, not only geographically but also because of the cultural and historical links between our three peoples. We therefore express our gratitude to the delegation and Government of Venezuela for the important contribution they have made to our Committee's work by preparing and introducing this draft resolution.

Lastly, we urge all the other members of the Committee to join us in voting in favour of this text. Both within and outside the Committee we often hear about changes that are taking place or have taken place recently on the international scene, and about their importance in reducing international tensions and bringing us closer to an era of peace and co-operation. Cuba emphasizes once again that the real measure of the validity of these changes will be whether they bring about an era in which the inalienable rights of peoples can truly be exercised and the will and the interests of all nations, large and small, will be respected. This should be of concern especially to those of us who are members of a body called upon to ensure the elimination of colonialism, especially during the decade which we have agreed should see the end of colonial manoeuvres and the complete eradication of this scourge of mankind.

Mr. SHAHEED (Syrian Arab Republic) (interpretation from Arabic): We shall not be saying anything new if we observe that the purpose of the Spanish-American War, which ended with the signature of the Paris Treaty on 10 December 1898, was to exclude Spain from this part of the Western Hemisphere and to take away its colonies there.

Since that time, in conformity with the world-wide trend towards enabling colonized peoples to exercise their right to self-determination, some of those colonies, such as the Philippines, have obtained their independence; others, such

(Mr. Shaheed, Syrian
Arab Republic)

as the Hawaiian islands, have been annexed to the United States as States. But Puerto Rico has remained in the same situation since it was occupied, that is, for more than 90 years - and for two reasons.

First, the island is not very rich in natural resources; it does not have a large economic potential. In all these years the United States has not ensured the development of the island. This has been emphasized by a large number of speakers in this Committee. One in particular stressed that with Puerto Rico's economic situation the needs of the country cannot be met; it results in a status of economic dependency for Puerto Rico. Another speaker stressed that Puerto Rico's per capita income is equivalent to half the per capita income in Mississippi, the poorest state in the United States.

Secondly, the island has geographical and strategic importance. It is used for military purposes. Indeed, United States military bases occupy 13 per cent of the territory of the island.

Those are not the only considerations. Indeed, in 1917 the United States Congress adopted the Jones Act, under which United States citizenship was granted to the people of Puerto Rico, without their having asked for or consented to it. This was done so that Puerto Ricans could be conscripted into the United States military forces. It is obvious what the situation was then: the United States wanted to take part in the First World War. Today thousands of Puerto Ricans continue to be mobilized, because of the high unemployment, into the United States military forces and are forced to fight other peoples - either near to or far from the island - struggling for their independence and their national sovereignty.

(Mr. Shaheed, Syrian Arab
Republic)

At the time of the military aggression against the Libyan Arab Jamahiriya by the Government of the United States in April 1986 the anti-aircraft batteries of the Libyan Arab Jamahiriya brought down many United States aircraft, including one piloted by a Puerto Rican named Rivas Dominici.

Let me emphasize one important point, which was raised very clearly by petitioners, that Puerto Rico is one of the main colonial cases left in the world, and we reiterate the inalienable right of the people of Puerto Rico to self-determination and independence, in accordance with General Assembly resolution 1514 (XV) of 14 December 1960, whose fundamental principles are fully applicable to the case of Puerto Rico.

We also stress that the people of Puerto Rico must be allowed to exercise its right to self-determination, without any interference, pressure or obstacles, and that its political will must be respected, in accordance with United Nations practice and the Charter.

We share the concern that was one of the main features of the statements made by petitioners about the referendum to decide the Territory's political status, which is to be held next June. Petitioners expressed their fears that the referendum may become a way to legitimize the current situation there, making the problem of colonialism in Puerto Rico permanent. That is why we believe that the referendum must be conducted in accordance with the provisions of resolution 1514 (XV) and the provisions of the Charter, with full respect for the political will of the people of Puerto Rico.

The right to self-determination is an inalienable right of peoples, and we must allow any violation of that international principle, nor should we allow it to be limited merely to a referendum without any supervision by the international

(Mr. Shaheed, Syrian Arab
Republic)

community. Colonialism must be done away with under the aegis of the United Nations and other international organizations, in order to ensure that the planned referendum is legitimate and that there will be no need for international action later.

The last chapter in relations between Puerto Rico and the United States has not yet been written. Everyone agrees that the current relationship is not final, because the referendum to be held next June constitutes recognition of a fact that the United States has always denied in the Committee - that Puerto Rico is indeed a colony.

Colonialism is never in accord with justice, democracy and self-determination. The case of Puerto Rico certainly cannot be regarded as a domestic situation. We support draft resolution A/AC.109/L.1747 and shall vote in favour of it, as we have voted for similar draft resolutions in previous years, on the basis of the principle that we support the inalienable right of the people of Puerto Rico to achieve self-determination and independence in accordance with resolution 1514 (XV).

The CHAIRMAN: The Committee will now proceed to take action on draft resolution A/AC.109/L.1747. I shall first call on those representatives who wish to explain their vote before the voting.

Mr. MJAALAND (Norway): It has been the consistent position of the Nordic members of the Committee that it is not appropriate for this body to consider the question of Puerto Rico. Our position is based on the fact that the General Assembly itself, in resolution 748 (VIII), determined that the people of Puerto Rico had effectively exercised the right to self-determination. In its decision the General Assembly removed Puerto Rico from the category of Non-Self-Governin

(Mr. Mjaaland, Norway)

Territories. The draft resolution deals with Puerto Rico as a Non-Self-Governing Territory. That is in contradiction to decisions of the General Assembly.

I also wish to recall that the General Assembly previously rejected a proposal by Cuba to include the question of Puerto Rico on its agenda. My delegation will therefore vote against the draft resolution.

Mr. CISTERNAS (Chile) (interpretation from Spanish): The delegation of Chile has carefully examined draft resolution A/AC.109/L.1747 on Puerto Rico, which the delegation of Venezuela has submitted to the Special Committee for its consideration.

The text contains positive aspects, such as recognition of the legislative process currently taking place in the Congress of the United States, with the participation of the main Puerto Rican political parties, for the purpose of laying the foundation for a referendum to enable the people of Puerto Rico next year to express their views on their political future.

However, the delegation of Chile cannot fail to express its disagreement, purely for reasons of principle, with the reference in the draft resolution to General Assembly resolution 1514 (XV), as we consider the provisions of that resolution inapplicable to the current situation in Puerto Rico. To do otherwise - that is, to accept that reference - would mean our disregarding General Assembly resolution 748 (VIII), adopted in 1953, which stated, among other things, that the General Assembly recognized that, when choosing their constitutional and international status the people of Puerto Rico had effectively exercised their right to self-determination and that in the framework of their Constitution and of the compact agreed upon with the United States, the Puerto Rican people had been invested with attributes of political sovereignty which clearly identified the status of self-government attained by the Puerto Rican people as that of an autonomous political entity.

(Mr. Cisternas, Chile)

As a result, and in keeping with what has just been stated, the delegation of Chile finds it impossible to vote in favour of the draft resolution submitted by the delegation of Venezuela and will abstain in that vote.

Mr. SLABY (Czechoslovakia): The delegation of Czechoslovakia has carefully studied the draft resolution on Puerto Rico contained in document A/AC.109/L.1747. My delegation is of the opinion that the draft does not sufficiently reflect an aspect of the referendum that is to be held in the Territory, probably in 1991. We consider the referendum to be an important and excellent opportunity for the people of Puerto Rico to realize their right to self-determination. We also think that in the period preceding the referendum it is not desirable to undermine the right of the people of Puerto Rico to independence, as is done in paragraph 1 of the draft resolution. The Puerto Rican people have their inalienable right to choose another option, another way to realize their right to self-determination, as those options are set out in General Assembly resolution 1541 (XV). For those reasons, the delegation of Czechoslovakia will abstain in the vote on the draft resolution on Puerto Rico.

The CHAIRMAN: We shall now vote on draft resolution A/AC.109/L.1747.

A vote was taken by show of hands.

Draft resolution A/AC.109/L.1747 was adopted by 8 votes to one, with 12 abstentions.

The CHAIRMAN: I now call on the representative of Bulgaria, who wishes to explain his position on the resolution just adopted.

Mr. SAVOV (Bulgaria): Bulgaria's record in the field of decolonization is well known not only in this Committee but, indeed, also in the United Nations as a whole. As in the past, we continue strongly to affirm the need for the speedy implementation of the Declaration on the Granting of Independence to Colonial

(Mr. Savov, Bulgaria)

Countries and Peoples. We are therefore convinced that the people of Puerto Rico have the inalienable right to determine their own political future in accordance with the Charter and the principles enshrined in the Declaration on decolonization. We believe that the process of consultations between the Puerto Rican political forces and the relevant United States institutions is about to enter an important and complex stage which, we are convinced, will culminate in the free and democratic act of a political choice by the people of Puerto Rico.

Therefore my delegation considers it more appropriate for the Committee to demonstrate maximum restraint in addressing the issue, so as to exclude any possibility of a negative impact on the delicate balance that now exists with regard to the process of consultations. This is the only reason for my delegation's abstention on the draft resolution submitted by the representative of Venezuela. At the same time, my delegation is convinced that this Committee will follow closely developments relating to political consultations on the status of Puerto Rico in order to be prepared to make the necessary recommendations when appropriate.

The CHAIRMAN: The Committee has thus concluded its consideration of this item.

I suggest that we should use the whole of tomorrow morning for consultations and preparation of the final documents and hold our formal meeting in the afternoon. If that is agreeable to members of the Committee, it will be so decided.

It was so decided.

The meeting rose at 4.55 p.m.



General Assembly

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A/AC.109/PV.1374
2 October 1990

ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

PROVISIONAL VERBATIM RECORD OF THE 1374th MEETING

Held at Headquarters, New York,
on Thursday, 16 August 1990, at 3 p.m.

Chairman: Mr. TADESSE (Ethiopia)

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Organization of work

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The meeting was called to order at 3.55 p.m.

ORGANIZATION OF WORK

The CHAIRMAN: This meeting was scheduled so that the Committee could engage in the substantive discussion of the remaining items. It was, in fact, the intention of most members to make this the last meeting of the Committee. But unfortunately, as members are aware, extensive consultations are still under way on the remaining items. Progress is reported on some of them, but agreement has not been attained on others.

Therefore a number of delegations have asked that this meeting be converted into an informal meeting so that we can continue our consultations with a view to arriving at common positions, or, failing that, at least recommend the best course of action to expedite our work so that we can complete our programme tomorrow.

Of those items on which consultations are to take place, I would mention the three major ones: military activities, economic interests and the resolution on the thirtieth anniversary.

Various other items await decision. One is the draft on the specialized agencies, which, as a result of extensive consultation, has now been transmitted to the Secretariat for finalization; I understand the draft text is already available to members. Then there are the drafts on Western Sahara and Gibraltar, concerning both of which working papers have been available for the past few days and await decisions by the Committee. There are also papers on the report of the working group, which met this morning and was able to finalize its recommendations for the Committee.

We also have to take up the adoption of reports of seminars and the draft resolution submitted by Norway.

Unless members would like to suggest other courses of action, it is the Chairman's view that, as suggested by a number of delegations, we should convert

(The Chairman)

this meeting into an informal consultation period during which we will take up the remaining difficult texts on which a further exchange of ideas is required. In the meantime the Secretariat will be able to finalize other papers. It is the Secretariat's hope that as a result of the consultations we shall be able to arrive at the final texts of the remaining drafts, especially those concerning military activities, economic interests and the resolution on the thirtieth anniversary, by 5.30 p.m. at the latest.

I suggest that tomorrow be devoted to the final preparation of documents and the closing meeting, at which we would take decisions on the remaining items.

That is how I propose we proceed. Are there any comments in this regard?

It appears not. May I, then, take it that members agree to this course of action?

It was so decided.

The meeting rose at 4 p.m.



General Assembly

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A/AC.109/PV.1375
2 October 1990

ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

PROVISIONAL VERBATIM RECORD OF THE 1375th MEETING

Held at Headquarters, New York,
on Friday, 17 August 1990, at 3 p.m.

Chairman: Mr. TADESSE (Ethiopia)

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Organization of work

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The meeting was called to order at 4 p.m.

ORGANIZATION OF WORK

The CHAIRMAN: I should like first to apologize to members for the continued delay in beginning our meeting. We seem to be caught in a kind of circular procedural and time problem: the more we try to save time by having informal consultations and then meetings, and the more we try to expedite the process through changed arrangements, the more we seem to be taking time. I hope that all members will understand that the purpose of the last hour we have spent here was mainly to exchange views with secretariat services. In addition, members had expressed wishes about the timing of our meetings, especially the closing meeting of the session, and the way to take up the pending matters on our agenda.

At our last meeting we decided to use the period between that meeting and this afternoon's meeting for informal consultations, to finalize the decisions on pending items this afternoon and then to close the session. I regret to report once again that although good progress was made in the informal consultations on many items and although we were able at least to reach agreement on many issues, one important draft - that on economic activities - is still pending. Some members have already requested that the informal consultations should be continued this afternoon with a view to reaching agreement on that item too before we come to our final meeting.

If we are to continue the informal consultations, I should like to give members some information about the technical arrangements. Even if we could reach agreement on that item by 5 p.m. and it were then submitted to the secretariat, the clean text of the document on it might not be ready before 7.30 p.m. Likewise, the final texts of the previous documents are also being worked out. I understand that many of them will be ready by 7 p.m.

(The Chairman)

I therefore seek the views of members on what course to take. Some have already approached me, suggesting that the informal consultations should be continued, with a view to completing whatever remaining tasks we need to take up informally, that we should give the secretariat enough time to produce clean texts on all items, and therefore we should perhaps reconsider our programme, under which we were to close the session this afternoon.

I invite comments and suggestions on how to proceed.

Mr. MJAALAND (Norway): In view of the time constraints and the technical difficulties that you have mentioned, Mr. Chairman, and also taking into account the fact that complicated consultations are planned for this afternoon on one item and that consultations on another item are still going on, I think the wisest course would be to continue consultations through this afternoon. We should do that with a view to reaching agreement, if possible, or making decisions informally, then give delegations sufficient time over the weekend to consider the results and consult capitals, and have our closing meeting on Monday morning.

The CHAIRMAN: The suggestion is that we should devote this afternoon entirely to informal consultations and give members time to clarify points and make contacts, if they wish, and take up the final decisions on Monday morning.

I should like to add here that even if the texts for the secretariat are ready this afternoon by, say, 5 p.m. or later, and if the secretariat works on them during the evening and perhaps even during the weekend, the distribution of those clean texts will not be possible until early on Monday morning. Therefore, even if we continued the waiver for the 24-hour period, I should think that the time between the early distribution of the texts on Monday morning and a meeting at 10 a.m. would not be sufficient for members to look at the texts.

(The Chairman)

Therefore, I wonder whether the suggestion made by the representative of Norway can be amended so that we devote this afternoon to informal consultations, finalize them and forward the texts to the secretariat, which will work on them until some time on Monday morning, when they will be distributed. Members will then have the opportunity to read the texts until the afternoon, and we can have the afternoon meeting take up the pending items and also close our session and finalize our work.

(The Chairman)

Since we are unfortunately once again to postpone, it seems to me that we may as well give ourselves enough time to have sufficient consultations and also an opportunity to go through the documents that we will be endorsing.

Mrs. BERMUDEZ (Cuba) (interpretation from Spanish): I am not speaking to argue against your proposal, Mr. Chairman. I have no objection to what you are saying. What I simply wanted to do is ask whether it might be possible to work this afternoon, following the informal consultations, on those drafts that have already been made available. Some texts have already been completed and submitted, and I should like to know whether we could make progress in that way. If this will not help save time, then it is not really a proposal. I simply put this forward as a query.

The CHAIRMAN: That is a useful comment. Yes, we could, if it is agreeable to the members, take up these completed items and take a decision on them this afternoon. But in view of our experience with the other items in informal consultations, it is my impression that this item could take a good deal more time than we expect, and since we are going to meet on Monday anyway, in view of the importance of this item, it might be given sufficient time for consideration at the level of informal meetings. Therefore, also taking into account the fact that the remaining items already completed would not, we hope, raise difficulties in our taking decisions, we could complete them Monday afternoon when we meet for the closing meeting.

If members wish, they may take up informal consultations and then, taking account of the fact that today is Friday, stay behind and work on the completed items with a view to taking decisions on them.

(The Chairman)

Since the representative of Cuba did not insist but was only making an inquiry and was satisfied with my response, perhaps we can continue with the original proposal, unless there are views to the contrary.

I hear none. Accordingly, I shall adjourn this meeting in order to hold informal consultations, and we shall hold our closing meeting on Monday afternoon.

The meeting rose at 4.15 p.m.



General Assembly

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4 October 1990

ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

PROVISIONAL VERBATIM RECORD OF THE 1376th MEETING

Held at Headquarters, New York,
on Monday, 20 August 1990, at 3 p.m.

Chairman: Mr. TADESSE (Ethiopia)

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Question of Gibraltar

Question of Western Sahara

/...

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Thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Reports of the regional seminars held at Vanuatu from 9 to 11 May and at Barbados from 19 to 21 June 1990

Draft resolution

Closure of the Special Committee's meetings in 1990

The meeting was called to order at 3.50 p.m.

STATEMENT BY THE CHAIRMAN

The CHAIRMAN: I should like to thank all the members of the Committee for their patience. I am indeed aware of the inconvenience that the extension of our session may have caused many of them, particularly those who had special plans or who were scheduled to return to their respective capitals over the past weekend.

During this closing meeting, the Committee will take decisions on a number of draft resolutions and decisions that have been the subjects of our extensive informal consultations over the past few weeks.

I would appeal to members to continue to show, at this closing meeting, the spirit of co-operation they have demonstrated over the past two weeks, so that we can conclude our work today as planned.

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, THE BRITISH VIRGIN ISLANDS, THE CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, THE TURKS AND CAICOS ISLANDS AND THE UNITED STATES VIRGIN ISLANDS (A/AC.109/L.1745) (continued)

The CHAIRMAN: The draft resolution submitted by Norway is contained in document A/AC.109/L.1745. I wish to inform the Committee that members who have been consulting on this draft resolution have reached a consensus decision. I understand that the text of the draft decision has been made available to the members of the Committee.

(The Chairman)

The draft decision reads as follows:

"Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands

"Draft decision

"The Special Committee takes note of the draft resolution contained in document A/AC.109/L.1745 concerning the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands, which, due to time constraints, was not considered.

"The Special Committee decides to transmit document A/AC.109/L.1745 to its 1991 session for appropriate consideration and also decides to examine the modalities of consolidating the various resolutions on the situation in these small Non-Self-Governing Territories."

May I take it that the Committee adopts the draft decision without a vote?

The draft decision was adopted.

QUESTION OF GIBRALTAR (A/AC.109/1044)

The CHAIRMAN: The Committee has before it a working paper prepared by the Secretariat (A/AC.109/1044).

Taking into account the related development, I suggest that the Committee should continue consideration of the question at its next session, subject to any directives which the General Assembly may wish to give at its forty-fifth session, and that, so as to facilitate the Fourth Committee's consideration of the item, the Committee should transmit all the related documentation to the Assembly.

It was so decided.

QUESTION OF WESTERN SAHARA (A/AC.109/1048 and Corr.1/Rev.1)

The CHAIRMAN: The Committee has before it a working paper prepared by the Secretariat (A/AC.109/1048 and Corr.1).

As members will recall, at the 1363rd meeting on 1 August the Committee granted a request for hearing to the POLISARIO Front. Accordingly, I invite Mr. Mansur Omar, on behalf of the POLISARIO Front, to take a place at the petitioners' table.

At the invitation of the Chairman, Mr. Mansur Omar (POLISARIO Front), took a place at the petitioners' table.

The CHAIRMAN: I call on Mr. Omar.

Mr. OMAR (interpretation from Spanish): On behalf of the Saharan delegation, the delegation of the POLISARIO Front, I wish to congratulate you, Mr. Chairman, and the other members of the Committee most sincerely on your commendable, unceasing efforts to carry out the lofty task of upholding the right of the Saharan people to self-determination, just as you defend the same right of other peoples whose situation is considered by the Committee.

As in previous years, the delegation of the POLISARIO Front has come here once again to inform the members of the Committee of developments in the Western Sahara decolonization process. I wish to thank the Committee for giving us this opportunity to contribute to its discussions.

While the Committee is considering the question of Western Sahara, the good-offices process conducted by the current Chairman of the Organization of African Unity (OAU) and the Secretary-General of the United Nations is in a decisive stage of its completion.

In this context, I wish to recall that earlier efforts to find a political solution to the question of Western Sahara have always been blocked by the

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intransigent and obstructionist position of Morocco, which bears a grave responsibility for having invaded our country and militarily occupied part of it, causing enormous suffering to our people and incalculable devastation to our lands and properties.

Morocco, which itself had been humiliated by colonialism in the recent past, has become in the last 15 years the cruellest and most hated representative of colonialism the Saharan people has ever known. It has denied our right to self-determination and has put north-western Africa under a permanent threat, which has slowed down its economic development and harmed its social development.

Today the United Nations, whose mission it is to guarantee the Saharan people the conditions required for it to express its will in freedom and in dignity, is continuing to make praiseworthy efforts to carry out that mission. The proposals made by the United Nations Secretary-General and the current Chairman of the OAU to Morocco and the POLISARIO Front in August 1988, approved by the Security Council in its resolution 658 (1990), constitute the basic instrument for a political solution to the problem. The machinery that the United Nations is preparing to use in the Sahara should be based on its successful experience in Namibia, with improvements.

The mission given by the General Assembly in its resolution 40/50 to the Secretary-General of the United Nations and the current Chairman of the OAU is to organize a free, general and orderly referendum, without administrative or military pressure, so that the people of Western Sahara may exercise its right to self-determination and independence.

For its part, in its resolutions 621 (1988) and 658 (1990) on Western Sahara, the Security Council endorsed the proposals made by the Secretary-General and by the current Chairman of the OAU and appealed to both parties to the conflict -

(Mr. Omar)

Morocco and the POLISARIO Front - to co-operate in the implementation of those proposals.

Since the adoption of Security Council resolution 658 (1990) the Secretary-General of the United Nations has taken two important initiatives. The first was to call the two parties in conflict, Morocco and the POLISARIO Front, to a meeting in Geneva on 5 July this year to discuss an extension of the cease-fire, to consider a code of conduct and to exchange views on outstanding issues that need to be settled to resolve the problem. The second was the sending of a technical mission to Western Sahara and neighbouring countries to obtain the technical information needed to implement the peace proposals.

With regard to the first initiative, the POLISARIO Front, in accordance with the Security Council resolution and in keeping with its position of co-operating constructively with the United Nations and the OAU for the success of their good-offices mission, again responded to the Secretary-General's request and went to Geneva on 5 July 1990 to hold talks with the Moroccan side in the presence of the Secretary-General.

(Mr. Omar)

We went to Geneva in response to the efforts of the international community with a view to the creation of conditions necessary to organize the referendum. Furthermore, as far as we were concerned, the Geneva meeting represented the existence of the political will needed to confirm to the international community the desire for the peaceful solution advocated by the United Nations and the OAU.

For its part, Morocco, also in keeping with its traditional intransigent position, continued to create obstacles, resorting to formalistic sophistries that had been made obsolete by events such as refusing to sit down with the POLISARIO Front.

Despite Morocco's refusal to abide by its commitments made to the Secretary-General, the POLISARIO Front attended the meeting and expressed its point of view to the Secretary-General on all questions raised, and, above all, it decided to extend the truce until the end of August in order to give the Secretary-General time to complete his contacts and enable the United Nations technical mission to carry out its work in a climate of serenity and stability.

After Geneva we witnessed a campaign orchestrated by the Moroccan Minister of the Interior, in his role as colonial administrator, and certain segments of the Moroccan mass media that were very close to him, which, contrary to the hope of the international community, reminds us of the positions adopted during the early years of the war. This shows either that there are two forces in Morocco with opposing positions on the very same subject or that the Government of that country is mocking the international community by playing a duplicitous policy that reveals the true intentions of the Moroccan Government, namely, to seek any pretext to block that process and torpedo the commitments already made to the international community.

(Mr. Omar)

At the same time, parallel with that attitude, Morocco's repressive forces in the occupied areas carried out a campaign of repression, detention and confinement of young Saharans on the eve of the United Nations technical mission's arrival in the territory of Western Sahara in July of this year.

All these statements and activities undertaken by Morocco are eloquent testimony to its total lack of the political will required for the political solution of Western Sahara, in conformity with the plan of the United Nations and the OAU.

Morocco continues to reject dialogue under the auspices of the Secretary-General with the POLISARIO Front, contrary to the wishes of the international community and to the need to create the conditions necessary for the implementation of the peace plan of the United Nations.

Morocco's rejection of dialogue is a contradiction. Is this the first time that it is going to meet with the POLISARIO Front? It is absurd to claim that, in view of the fact that there have already been meetings between delegations of the POLISARIO Front and Morocco at Bamako, Algiers and Lisbon and that King Hassan II himself met with a delegation of the POLISARIO Front at Marrakech in January 1989.

As far as the POLISARIO Front is concerned, dialogue is not an end in itself but a means for the two parties to move towards a referendum in a climate of mutual respect and serenity. For our part, we continue to be open to dialogue under the auspices of the Secretary-General.

Morocco is using these sophistries in an attempt to evade some of the conditions which are necessary for the organization of a referendum free of any administrative or military pressures and which the Moroccan Government itself set forth in 1975, when Spain, the colonial Power at that time, was making preparations for the referendum in Western Sahara. Let me recall the conditions: first, the

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withdrawal of Spanish troops and administration; secondly, the presence of the "Blue Helmets" in the Territory; thirdly, administration of the Territory by the United Nations; and, fourthly, a transitional period of six months following the withdrawal of Spanish troops and administration.

Those conditions are stated in the Special Committee's report at the thirtieth session, Supplement 23, contained in document A/10023/Rev.1.

These demands made by Morocco yesterday are even more legitimate for the POLISARIO Front today because of the existence in Western Sahara of a Moroccan occupying force of more than 100,000 soldiers, an administrative corps of more than 50,000 persons and the influx, since the beginning of the war, of a Moroccan civilian colony numbering more than 150,000, when the Saharan electorate recognized by the Spanish census did not exceed 74,000 voters.

These figures clearly show that that the Moroccan presence, both military and civilian, represents a real impediment to the exercise by the Saharan people of its right to self-determination;

The other initiative taken by the Secretary-General was the dispatch of a technical mission to Western Sahara from 29 July to 12 August. That mission made a visit to the areas occupied by Morocco, as well as to the liberated areas and the neighbouring countries of Mauritania and Algeria. In the liberated areas the mission visited Aguienit, Mijec, Tifariti and Bir Lahlu, as well as the frontier town of Laguera. In all those places it held interviews with the local administration and nomad leaders. However, it also conducted visits to the First, Second and Seventh Military Regions of Western Sahara, responsible for the occupation of the areas visited, as well as to the military schools for infantry and artillery.

(Mr. Omar)

In Algeria the mission visited the camps of Saharan refugees and held talks with representatives of the administration and the local population.

The mission's visit was one more occasion on which the Polisario Front offered its total co-operation to the United Nations and the OAU for the completion of their lofty task.

The responsibility and duty of the international community is to create the proper conditions enabling the Saharan people to express itself freely. That can be done only through: first, the dismantling of the occupation apparatus, including the administration and the paramilitary and police forces; secondly, the establishment of a United Nations and OAU administration during the transitional period; thirdly, the withdrawal of the occupation forces and the presence of the United Nations "Blue Helmets"; fourthly, the neutralization of the Moroccan population colony; fifthly, the release of all Saharan prisoners and detainees held by Morocco; and, lastly, the return of refugees to their places of origin in Western Sahara.

The reputation of the United Nations and the OAU, and indeed the success of the Saharan people's exercise in self-determination, will depend largely on the conditions of the referendum.

(Mr. Omar)

The Saharan people, which for 15 years has been the victim of atrocities in a war of aggression imposed by Morocco, anxiously awaits the outcome of the work of the Special Committee with a view to the implementation of General Assembly resolution 40/50 and Security Council resolutions 621 (1988) and 658 (1990) on its right to self-determination and independence. While it waits, my people is armed with the certainty afforded by its just cause and its trust in the efforts of the international community.

Guided by a desire for the success of the mission of the Secretary-General and of the current Chairman of OAU, in the implementation of the peace plan which could open the way for the Saharan people to achieve self-determination under the necessary conditions of dignity and freedom, the POLISARIO Front remains faithful to its spirit of full co-operation with the United Nations and the OAU to that end.

That desire for peace is equalled only by our unshakeable determination to continue our liberation struggle by every means possible until the complete liberation of our country from Moroccan occupation.

I wish in conclusion to thank the Committee for this opportunity to report on the situation in Western Sahara. I also take this opportunity to congratulate the Committee on its tireless efforts to help us achieve our right to self-determination and independence. In that context, let me also express our high regard for the Secretary-General and for the current Chairman of the Organization of African Unity for their steadfast work to bring about the implementation of their proposals to organize a referendum, without administrative or military pressure, for the people of Western Sahara.

Mrs. BERMUDEZ (Cuba) (interpretation from Spanish): My delegation wishes to express once again its full support for the right of the Saharan people to self-determination and independence and for the points just made by the representative of its legitimate national liberation movement, the POLISARIO Front. We earnestly hope that the process of negotiations aimed at achieving a peaceful, just and lasting solution to this conflict will culminate as soon as possible in a result that will be best suited to the interests of that people. To that end, Morocco must accept the need to foster the minimum conditions required for free expression by the Saharan people, as stated in this chamber by its representative.

Mr. Omar withdrew.

The CHAIRMAN: Taking into account the relevant developments, may I take it that, subject to any directives the General Assembly might give in that connection at its forthcoming session, and in order to facilitate the Fourth Committee's consideration of the question, the Special Committee decides to transmit all the relevant documentation to the Assembly?

It was so decided.

NINETY-SEVENTH REPORT OF THE WORKING GROUP (A/AC.109/L.1748)

The CHAIRMAN: May I take it that the Committee is prepared to adopt the 97th report of the working group?

It was so decided.

Mr. SHAHEED (Syrian Arab Republic) (interpretation from Arabic): With respect to the 97th report of the working group (A/AC.109/L.1748), I wish to recall that at a meeting of the working group, agreement was reached on a number of matters which I see no reason to enumerate now, including that the Secretariat should prepare a summary of what took place at that meeting, in view of the

(Mr. Shaheed, Syrian Arab Republic)

importance of the remarks made and amendments proposed by one delegation and of the Chairman's responses, especially with respect to the second paragraph of the report on representation of the Committee. I hope the Secretariat will provide copies of that summary and other papers agreed upon to members of the working group as soon as possible, since it is our intention to follow up the discussion of these matters at subsequent meetings of the Bureau.

The CHAIRMAN: I am sure the Secretariat has taken note of the remarks of the representative of the Syrian Arab Republic.

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (A/AC.109/L.1722, L.1749 AND L.1750)

The CHAIRMAN: I wish to draw members' attention to draft resolution A/AC.109/L.1749 on this item, and to amendments thereto contained in document A/AC.109/L.1750.

The Committee will first take up the 281st report of the Sub-Committee on Petitions, Information and Assistance, contained in document A/AC.109/L.1722. May I take it that the Committee adopts the report and endorses the conclusions and recommendations contained therein?

It was so decided.

The CHAIRMAN: The Committee will now take up draft resolution A/AC.109/L.1749 and the amendments submitted by the delegation of the Syrian Arab Republic, contained in document A/AC.109/L.1750.

Mr. SHAHEED (Syrian Arab Republic) (interpretation from Arabic): It gives me pleasure to introduce document A/AC.109/L.1750, containing amendments to the draft resolution contained in document A/AC.109/L.1749, on implementation of the Declaration by the specialized agencies. These amendments were originally suggested by the legitimate representative of the majority of the population of

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South Africa, at this Committee's recent open-ended informal consultations. They enjoy the support of almost all the participants in those consultations.

The first amendment concerns the preambular part of the draft resolution, and the second concerns the operative part. They set out unbiased information and are moderate and balanced, while remaining fully pertinent to the subject. They are similar to portions of the resolution on South Africa adopted by the Council of Ministers of the Organization of African Unity (OAU) at its recent session, held in July at Addis Ababa.

(Mr. Shaheed, Syrian Arab Republic)

In this connection, I should like to reaffirm that this amendment represents the barest minimum that we can accept and, in our view, does not fully reflect the outrage and indignation felt by the international community at large at the violation of the pertinent United Nations resolutions by some countries. I also wish to reaffirm that the proposed amendment obviously does not contain any offensive names or language when referring to the countries that actually were not abiding by the pertinent United Nations resolutions, and it also avoids name-calling. Some countries were mentioned by name in order to identify them, which, so far as I know, is not what is meant in English by "name-calling". It is the mention of a name for purposes of identification.

It is true that there are also other countries which, in varying degrees, maintain relations with racist Pretoria, and we hope that in mentioning some countries we are also sending a message to the others. We did not deliberately single out some countries selectively, as some may think. The countries named have selected themselves by their outstanding achievement in collaboration with apartheid South Africa, and the proposed amendment merely recognizes this reality.

Sheikh ZEINELDDIN (Islamic Republic of Iran): In this connection I should like to say that the co-operation between Israel and the South African régime has had many negative impacts on the process of united measures against apartheid and has delayed dismantling the machinery of racial discrimination in South Africa. Taking into account these negative effects, my delegation would like to second the draft amendments proposed by the representative of the Syrian Arab Republic.

Mr. MDEE (United Republic of Tanzania): My delegation wishes fully to associate itself with the amendments proposed by the representative of the Syrian

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Arab Republic, being fully aware of the need to keep international pressure on the South African apartheid régime.

At a time when the international community is busy trying to ensure that the South African régime proceeds along the road towards the democratization of that country, any State which flagrantly and with impunity violates the sanctions that have been approved by the international community deserves special mention, so that there may be no doubt as to the rage that those actions deservedly evoke.

For that reason, and as members will note, the draft before the Committee contains the kind of language that the people bearing the brunt of racial discrimination in South Africa would like to see, and my delegation hopes that it will command the support of all in this chamber.

Mrs. BERMUDEZ (Cuba) (interpretation from Spanish): My delegation is also of the view that all links that may exist with the racist South African régime must be strongly criticized by the international community, and therefore my delegation is in favour of the amendments submitted by the delegation of Syria.

The CHAIRMAN: If there are no further comments, the Committee will now take action on the amendments to draft resolution A/AC.109/L.1749 of the Syrian Arab Republic contained in document A/AC.109/L.1750.

I shall now call on those representatives who wish to explain their votes before the voting.

Mr. LEHNE (Norway): I do know whether it is strictly necessary, but I should just like to remind the Committee that I have called for a vote on the amendments proposed by the Syrian Arab Republic.

The CHAIRMAN: That is what we are about to conduct.

We shall first vote on the amendments to draft resolution A/AC.109/L.1749 contained in document A/AC.109/L.1750. There are two parts to this document.

(The Chairman)

I now put the first part of the amendments contained in document A/AC.109/L.1750, relating to the thirteenth preambular paragraph, to the vote.

The thirteenth preambular paragraph of draft resolution A/AC.109/L.1749, as amended, was adopted by 18 votes to 3, with 3 abstentions.

The CHAIRMAN: We shall now vote on the second part of the amendments contained in document A/AC.109/L.1750, relating to a new paragraph 18.

Paragraph 18 of draft resolution A/AC.109/L.1749, as amended, was adopted by 18 votes to 3, with 3 abstentions.

The CHAIRMAN: We shall now vote on draft resolution A/AC.109/L.1749 as a whole, as amended.

I call on the representative of Czechoslovakia.

Mr. FULE (Czechoslovakia): My delegation voted against the amendments to draft resolution L.1749 contained in document L.1750. We are convinced that their content and language do not reflect the developments in South Africa and southern Africa, or in the world as a whole.

We are strongly opposed to any name-calling in the texts of United Nations resolutions. Amendments of the kind proposed by the delegation of the Syrian Arab Republic create obstacles to the completion of the entire process of decolonization because they solve nothing. They are only able to keep the language of bygone times of confrontation in this Committee. My delegation was ready to vote in favour of draft resolution L.1749. It had intended to express a formal reservation concerning one paragraph, but now we cannot support the text of the draft as a whole.

The CHAIRMAN: We shall now proceed to vote on draft resolution L.1749 as a whole, as amended.

Draft resolution A/AC.109/L.1749, as a whole, as amended, was adopted by 21 votes to none, with 3 abstentions.

The CHAIRMAN: I shall now call on representatives who wish to explain their positions on the resolution just adopted.

Mr. LEHNE (Norway): Norway abstained in the vote on draft resolution A/AC.109/L.1749, as amended by the Syrian Arab Republic. We also voted against the proposed amendments.

I wish to comment on both the resolution regarding implementation of the Declaration of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations and the report of the Sub-Committee pertaining to the same subject.

(Mr. Lehne, Norway)

Norway has for many years actively supported the efforts of the specialized agencies to provide assistance within their competence to those struggling for freedom and self-determination. Correspondingly, Norway has provided increased humanitarian, technical and educational assistance to peoples that have not yet exercised their right to self-determination and their right freely to determine their political future.

In their revised Programme of Action against Apartheid, of 1988, the Nordic countries have committed themselves to increase their humanitarian assistance to refugees of apartheid and their assistance to refugees and liberation movements as well as to victims and opponents of apartheid and their assistance to the front-line States both directly and through the specialized agencies and other bodies of the United Nations.

The programme also establishes that the granting of loans, including participation in international loans, to South Africa should be prohibited or discouraged. As to loans to South Africa from the International Monetary Fund, such loans should be discouraged with due regard for the articles of agreement of the International Monetary Fund as long as the apartheid system and its negative effects on the economy of South Africa remain.

Although Norway accordingly supports the main thrust of the draft resolution, we regret that it still contains some elements that cause problems of principle, especially after the amendments proposed by the Syrian Arab Republic.

My delegation regrets that the report of the Sub-Committee still contains important elements which cause problems of principle and formulations that in our view are too sweeping and inaccurate. We will therefore have to reserve our position in this regard. This applies also to the eleventh preambular paragraph of the draft resolution.

(Mr. Lehne, Norway)

Norway deplores the singling out of individual countries or groups of countries as allegedly being responsible for the policies pursued by the South African Government, and we oppose the inclusion of paragraphs irrelevant to the subject-matter. The inclusion of the amendments proposed by the Syrian Arab Republic has, therefore, made it impossible for Norway to join in a consensus on this resolution.

The CHAIRMAN: We have thus concluded our consideration of this item.

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN NAMIBIA AND IN ALL OTHER TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (A/AC.109/L.1751) (continued)

The CHAIRMAN: I wish to draw members' attention to draft resolution L.1751. Does any member wish to speak on draft resolution L.1751? It appears not.

The Committee will now take action on draft resolution L.1751.

Draft resolution A/AC.109/L.1751 was adopted by 21 votes to none, with 3 abstentions.

The CHAIRMAN: I shall now call on representatives who wish to explain their positions on the resolution just adopted.

Mr. LEHNE (Norway): My delegation abstained in the vote on draft resolution A/AC.109/L.1751.

At the outset I should like to reaffirm Norway's longstanding support for any realistic step compatible with the Charter of the United Nations to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples in all Territories under colonial domination. Against that background, Norway does not hesitate to condemn the activities of all those foreign economic and other interests that impede the process of decolonization.

(Mr. Lehne, Norway)

However, the draft resolution before us does not recognize the fact that foreign economic and other activities can indeed be beneficial to the economic and social development of Non-Self-Governing Territories. That failure to distinguish between various kinds of activities seems to us to detract from the fundamental aims of the draft resolution.

In addition, we have reservations of principle with regard to a number of specific paragraphs in the draft resolution that fail to take into account the Charter provisions concerning the division of competence between the General Assembly and the Security Council.

Moreover, we oppose the arbitrary singling out of groups of countries and individual countries as allegedly maintaining extensive links with South Africa in diverse fields.

The world has lately witnessed important improvements in the international political climate, most recently exemplified by Namibia's accession to independence. Some of the texts of the Committee do not seem to keep pace with those developments and are thus becoming increasingly outdated. It is our hope that that trend can change, so as to enhance the credibility of the Committee's work.

The CHAIRMAN: The Committee has thus concluded consideration of the item.

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION WHICH MIGHT BE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (A/AC.109/L.1752)
(continued)

Mr. FULE (Czechoslovakia): The Czechoslovak delegation requests a separate vote on paragraph 7 of draft decision A/AC.109/L.1752.

The CHAIRMAN: In accordance with the request of the representative of Czechoslovakia, the Committee will now vote on paragraph 7 of draft decision A/AC.109/L.1752.

Paragraph 7 was retained by 20 votes to 2, with 2 abstentions.

The CHAIRMAN: The Committee will now vote on draft decision A/AC.109/L.1752 as a whole.

Draft decision A/AC.109/L.1752 as a whole was adopted by 22 votes to none, with 2 abstentions.

The CHAIRMAN: I now call on those representatives who wish to explain their votes.

Mr. FULE (Czechoslovakia): My delegation voted against paragraph 7 of draft decision A/AC.109/L.1752.

Once again, I put on record our conviction that neither the content nor the language of the draft decision reflect developments in South Africa, southern Africa and the world as a whole. We are strongly opposed to any name-calling in the texts of United Nations resolutions. Such paragraphs as paragraph 7 of the draft decision create an obstacle to the completion of the entire process of decolonization.

Mr. LEHNE (Norway): My delegation abstained during the vote on the draft decision contained in document A/AC.109/L.1752.

My delegation still considers the request for unconditional withdrawal of military installations to be too categorical. We also deplore the continual practice of selectively singling out individual countries as supporters of the policies pursued by the South African Government. For those reasons, Norway was not able to join in the consensus on the decision.

Mr. SHAHEED (Syrian Arab Republic) (interpretation from Arabic): We of course respect the views of other representatives.

The Committee has just taken a separate vote on operative paragraph 7 of draft decision A/AC.109/L.1752, on the request of the Czechoslovak delegation. In the explanation of vote given by the representative of Czechoslovakia, however, I could not find the reasons for his request for a separate vote. The practice in the United Nations is for the representative of Israel to ask for a separate vote on this kind of paragraph.

I repeat: I did not understand why the Czechoslovak delegation made this request for a separate vote on operative paragraph 7.

My question is designed only to secure further information. I would be grateful if the representative of Czechoslovakia could give us some clarification - if he wishes to do so.

The CHAIRMAN: I do not think it is the duty of the Chairman to involve the Committee now in this question-and-answer exercise. If an individual member wishes to furnish clarification on any point, I have no objection. But individual members of the Committee have the right to vote in any way they see fit. They give explanations when they wish to do so. There is no reason for the Chairman to ask them to do otherwise.

Mr. SHAHEED (Syrian Arab Republic) (interpretation from Arabic): We are not against any members of the Committee making any request they wish to make. Perhaps there is a misunderstanding, or perhaps I did not make myself clear.

I am not against the request made by the representative of Czechoslovakia. Indeed, we acceded to his request: we took a separate vote as he wanted us to do. However, I do not think anyone can prevent my delegation from asking for further

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information. We must understand the reasons that prompted that delegation to request a separate vote. I have a right to put that question, just as he has a right to vote any way he wants to vote.

If the representative of Czechoslovakia does not want to answer my question, I shall not insist.

The CHAIRMAN: That is exactly what I pointed out. The question put by the representative of the Syrian Arab Republic has been transmitted to the member concerned. It is for that member to respond, if he wishes to do so.

Mr. SHEIKH ZEINELDDIN (Islamic Republic of Iran): I do not insist on getting an answer from my colleague from Czechoslovakia. However, in connection with what was just said by the representative of the Syrian Arab Republic, I should like to point out the following:

I remember that, after long discussions in the informal consultations, we agreed that this draft decision would be submitted by the Chairman or the sponsors, not by the Committee. That's the procedure that was followed here. We were not aware that the representative of Czechoslovakia would be making his request.

The CHAIRMAN: The Committee has thus concluded consideration of this item.

THIRTIETH ANNIVERSARY OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

REPORTS OF THE REGIONAL SEMINARS HELD AT VANUATU FROM 9 TO 11 MAY
(A/AC.109/1040 and Corr.1) AND AT BARBADOS FROM 19 TO 21 JUNE 1990
(A/AC.109/1043)

DRAFT RESOLUTION (A/AC.109/L.1753)

The CHAIRMAN: I now call on the representative of Sierra Leone, who wishes to make a statement in the general debate.

Mr. LAWSON (Sierra Leone): Mr. Chairman, some time ago I had the opportunity of reaffirming my delegation's recognition of the commendable service that you continue to provide the Special Committee as it discharges its mandate. Today I shall limit myself to reassuring you of our continued co-operation in facilitating the Special Committee's work in that direction.

Thirty years ago the General Assembly, bearing in mind the proclamation by the peoples of the world in the Charter, enunciated in its resolution 1514 (XV) certain general and specific principles applying to the inhabitants in the Trust and Non-Self-Governing Territories. This enunciation arose from the basic and pre-eminent conviction that

"all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory". (General Assembly resolution 1514 (XV), eleventh preambular paragraph)

Those principles carried with them a consciousness of the potential adverse effects on world peace which the continued existence of colonialism bred and, as a corollary, the irresistible and irreversible nature of the liberation process. The veracity of these postulates is now material for historians, having been borne out by the experience of so many former colonies. Additional verbiage is not required to establish that they continue to be relevant.

A generation has grown up since those heady days of 1960. Some of that generation live in States which in the course of their life have gone through the different stages of domination, deprivation, struggle and freedom. Others have not been so fortunate: they continue to harbour unfulfilled aspirations to be masters of their own destiny. As time has passed, so the awareness of the justness of these causes in the minds of some of us has gradually diminished; while, at the same time, we witness an ever-greater clamouring by those who perceive the danger of having their concerns relegated to the periphery of world attention.

(Mr. Lawson, Sierra Leone)

During this 30-year period also the world has gone through a socio-political transformation in which different ideologies have flowed and ebbed, polarization has grown and diminished and, latterly, the climate of tension - a prime characteristic of the protracted policy of confrontation - has eased, promising an era of co-operation and mutual understanding. This global trend offers an auspicious opportunity - not confined entirely to the elevated concerns of super-Power diplomacy. Even though these developments may not usher in a golden age or the millennium of peace, their importance cannot be ignored or dismissed, for they impinge on all the political, economic and social issues that constitute the international community's agenda. Their implications touch the heart of disarmament questions as much as they raise cogent questions about decolonization.

(Mr. Lawson, Sierra Leone)

How we as a Committee interpret these developments in the light of our obligations to the Non-Self-Governing Territories becomes the pivotal issue. All of us as delegations, and even as individuals, have strong opinions on what the Special Committee's work programme should now consist of, how the remaining colonial Territories should be dealt with and with how much vigour the Committee should pursue its responsibilities.

Some have said that with the independence of Namibia the period of decolonization has all but ended. Others aver that this achievement signals the need for even greater effort on our part to complete the task still in hand. Are these views conflicting, diametrically opposed? I think not. If anything, they indicate the level of importance which we attach to the Declaration and the need to harmonize our approach in resolving these outstanding issues. I am sure that none of us would disparage the yearnings of the remaining Territories for self-determination, regardless of the size of their population.

Equally, those rights of the peoples in the Territories remain irreducible and continue to demand of us our assistance and understanding in their realization, without equivocation or pre-conditions. Clearly, the obligations which we as Member States have in ensuring a smooth process of decolonization were foremost in the minds of the drafters of the Declaration and its conjunct, resolution 1541 (XV), which laid down the principles that should guide Members in determining whether or not an obligation exists to transmit information under Article 73 e of the Charter.

As Member States and, indeed, collectively as a Committee, we are obliged to recognize progressive developments in the Non-Self-Governing Territories when they take place and to acknowledge their contribution to eventual self-determination. While we should not manipulate the genuine concerns of the dependent peoples for

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our own national and regional objectives, we should also resist the urge to continue to reflect on situations which no longer exist. Indeed, we must be wary of new and different circumstances which have the potential of impeding the process of decolonization. In short, what the spirit of these basic principles, if not their letter, requires of us is action arising from the purest of motives, structured in such a manner as to contribute to the achievement of the objectives of the Charter itself. It is in this context that the Special Committee's role in the final stages of decolonization should be understood.

We must note with satisfaction that the reports of the regional seminars held this year in Vanuatu and Barbados (A/AC.109/1040 and Corr.1 and 1043) underline the need for the United Nations to remain engaged in the decolonization process in order to safeguard the exercise of the inhabitants' rights in accordance with Principle VI of resolution 1541 (XV) and the affirmation of the Declaration itself regarding the disposal of their natural wealth and resources. Moreover, they clearly assert the irrefutable presumption that it is for the peoples in the Non-Self-Governing Territories themselves to express their genuine wishes regarding self-determination, fully informed and free from constraints or coercion.

I described earlier as auspicious the climate of political understanding that we continue to observe. It is auspicious in putting us to the test, to see whether, collectively, we can finish the work that still remains. We as Member States should be seen to reaffirm the principles of decolonization in our action, whether it be those States which are administering Powers providing information under the Charter and becoming involved in the work of the Special Committee or Member States in general encouraging United Nations participation in the exercise of the peoples' will and accepting their decision as being final. What we should not do is prescribe our own agenda for them, or insist on infusing into our annual

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consideration issues which are not even marginally connected with their concerns. Such an attitude can only be counter-protective and a disservice to the Territories.

Undeniably, this thirtieth anniversary is a crucial one, a turning-point in the United Nations task in the field of decolonization. All of us must be attuned to the exciting possibilities which beckon, and we must use them, in so far as the Non-Self-Governing Territories are concerned, not for our own ends but to their advantage. The Sierra Leone delegation, for its part, will continue to make its own contribution to the work before us and hopes to enjoy the co-operation of others in this exercise.

The CHAIRMAN: At its 1363rd to 1365th meetings, held on 1, 2 and 6 August 1990, the Special Committee considered the reports of the two regional seminars held in Vanuatu and Barbados, from 9 to 11 May and from 19 to 21 June 1990 respectively, in observance of the thirtieth anniversary of the Declaration.

The Committee noted that the main objective of those seminars, as stated in their guidelines and rules of procedure, was to undertake a comprehensive review of the specific problems of the remaining small Non-Self-Governing Territories and that the contributions of participants, particularly those from Non-Self-Governing Territories, should help the Committee to chart a more effective course for its work and to adjust its approach and methodology in the fulfilment of its mandate. Bearing that in mind, the Special Committee can, if there is no objection, adopt the two reports, contained in documents A/AC.109/1040 and Corr.1 and A/AC.109/1043 respectively, and decide, as a follow-up to those reports, to request the Secretariat to prepare a working paper, for consideration at its 1991 session, on how best to translate into concrete action the relevant proposals put forward at those seminars, taking into account, in particular, the views expressed by the representatives of the remaining Territories.

(The Chairman)

Pending consideration and further decision on the matter, the Committee can decide to make use, wherever possible, of the proposals and suggestions made at the seminars, with a view to enhancing and rationalizing its work in a continuing process.

It was so decided.

The CHAIRMAN: We shall now take up draft resolution A/AC.109/L.1753.

May I take it that the Committee is prepared to adopt the draft resolution without a vote?

The draft resolution was adopted.

The CHAIRMAN: I wish to inform members that, in accordance with General Assembly resolution 44/100, the plenary meeting of the Assembly in commemoration of the thirtieth anniversary is tentatively scheduled for 12 October.

I also wish to inform members that arrangements have been made by the United Nations Postal Administration for the slogan cancellation "Complete decolonization - objective 2000" marking the thirtieth anniversary of the Declaration. It will be put into effect from 14 December 1990 to 17 March 1991.

The Committee has thus concluded consideration of all substantive items on its agenda.

Mr. SHAHEED (Syrian Arab Republic) (interpretation from Arabic): My delegation has asked to speak in order to have on record what took place during the Committee's open-ended consultations on the draft resolutions under consideration. Naturally, Mr. Chairman, I shall not seek to take over your role here, but we feel that what took place is extremely important, owing to the fact that it was without precedent, at least in the recent past.

On 10 August 1990 the Committee held an open-ended meeting for consultations on the draft resolutions on military and economic activities, specialized agencies and observance of the thirtieth anniversary. That meeting was presided over by the representative of Czechoslovakia, Mr. Alexander Slabý, who opened the meeting by delivering an instructive lecture on the need not to take rigid positions and to take into account recent events on the international scene. Thereafter, he began consideration of the draft resolution presented by Norway, which had not originally been on the agenda.

Despite complaints expressed by certain delegations, a very brief discussion took place, and the Chairman saw fit to conclude it by calling on the representative of Norway, who surprised everyone by making a provocative and totally unjustified statement in which he said that Norway and other Western countries which participate in the work of the Committee intended to leave the Committee if it did not adopt his proposal this year. He added that he was going to ask that his proposal should be presented in an official document. That was done, and the document was issued the next morning as A/AC.109/L.1745, dated 10 August 1990.

First of all, it is very strange that that most unjustified ultimatum was delivered at a time when all delegations had in principle accepted the concept of consolidating various resolutions, advocated by the delegation of Norway wherever

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possible, and when all that was required was more time to conclude the ongoing consultations - nothing more than that.

Secondly, it also surprised us that this ultimatum was delivered without camouflage and in undiplomatic terms. The representative of Norway, in his provocative statement, had reached the highest possible peak of indecency and discourtesy. We thought that that kind of behaviour was something that belonged to the distant past, but evidently we were wrong, to the dismay of many of us, because we were surprised to see the representative of Norway reviving that kind of behaviour, a fact which prompted one delegate to say that the conduct of the representative of Norway had unified the Committee in its position. It also became quite clear to all of us that the representative of Norway would not hesitate to resort to every possible means to impose his will on the Committee. Therefore members of the Committee considered this situation at great length, and one delegation - quite rightly, I think - raised the question whether Norway was serious about staying in the Committee, either with its proposal, which it is trying to impose by force on the Committee, or without it.

Naturally, had we wished, we could have applied rule 74 of the rules of procedure in dealing with the Norwegian proposal, whose initiator tried to find a market for it in the Committee. This would not have implied anything against the Norwegian delegation, since the provisions of the rules of procedure would have been legitimately invoked in order to take a certain course of action; the aim in this case would have been to accommodate the wishes of most delegations, who repeatedly requested more time to conclude the ongoing consultations on that proposal, so that they might be able to contribute effectively and positively to bringing about the concept of consolidation advocated in that proposal.

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However, we preferred to deal with the proposal in accordance with the consensus text which the Chairman was kind enough to read out to the Committee a short while ago, despite the existence of a strong desire in the Committee to move under the terms of rule 74 of the rules of procedure, so that no action should be taken on the Norwegian proposal, because the delegations that favoured that approach viewed their vote, at the same time, as an indication of their rejection of the unjustified hegemony and arrogance which the proposal represented.

It may be recalled that an earlier statement made by the delegation of Norway had stressed the need for co-operation instead of confrontation, but apparently in the midst of his many concerns the representative of Norway forgot what he had advocated. Perhaps he was not really serious and his words did not reflect his real intention.

During the four subsequent open-ended meetings devoted to consultations and presided over by the distinguished representative of Cuba, Mrs. Maria Cecilia Bermudez, the representative of Norway was consistent in that he continued to walk out of our meetings, spectacularly and dramatically, to the dismay of most members of the Committee. At those meetings the Norwegian representative's main concern, the one that apparently caused him to walk out so dramatically and spectacularly, was the fact that the Committee refused to let him hide behind it to find a market for his views and to portray us as backward people who were not fully aware, or perhaps quite ignorant, of recent events taking place on the international scene.

Taking into consideration this distorted picture which the representative of Norway tried to force on us, we had to reaffirm repeatedly, with great patience, that we were not disputing the fact that there were new events on the international

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scene; what we were disputing was the interpretation of those events. We also reaffirmed that the fact that our interpretation differed from that of the others did not necessarily mean that we were wrong. It is clear that the representative of Norway wanted us to be not flexible in our position but liquid. In his view, we are civilized only in so far as we are in accord with his views, which quite obviously lack realism and objectivity.

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Republic)

It is truly foolish for one representative to feel that he has a monopoly on truth. However, the representative of Norway considered those meetings the appropriate forum to create pretexts in advance for an action which, it became quite obvious, he had already decided to take in the near future; that is regrettable indeed.

In the course of our five meetings, we managed to listen to and profit by all views. Needless to say, the divergence of views on some matters is something quite usual in meetings like the ones we held. We were able to listen to all those divergent views with complete understanding and respect. Unfortunately, the delegation of Norway was unable to reciprocate our respect. He did not feel that other delegations, whose sole fault was that they held views different from his, deserved his respect, despite the respect they accorded him.

It is noteworthy that the representative of Norway repeatedly spoke of his positions of principle. In order to give a somewhat clearer idea of those positions of principle, it should suffice to mention here that those positions of principle were evoked in relation to the defence of two racist régimes, one of which is no less atrocious than the other. Consequently the representative of Norway isolated himself and meanwhile appeared - or pretended - to have forgotten that wishful ignorance or misunderstanding of the facts does not nullify them.

Suffice it to say here that eventually we managed to continue and complete our work, despite the fact that the representative of Norway repeatedly walked out of our meetings, in flagrant disregard of the views and feelings of others.

In conclusion, I should like to pay tribute to two delegations which held some views that differed from those of others but which displayed great respect and a sense of realism and objectivity. They did not challenge the other members of the

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Committee or disregard their views, nor did they erect obstacles to the work of the Committee. Thereby they gained the respect and appreciation of all. I can assure them that we are fully determined to continue to respect and understand their views.

I must also state my delegation's respect and appreciation for the great competence, impartiality and respect shown by the representative of Cuba, Mrs. Maria Cecilia Bermudez, in presiding over our open-ended consultations. That did not surprise us, as she belongs to a delegation whose members have devoted themselves to the defence of principles and values well established in the international community.

Mr. LEHNE (Norway): I listened with great interest to the comments just made by the representative of the Syrian Arab Republic, and I certainly thank him for his expression of his views on my delegation. I have taken due note of his comments and shall pass those comments on to the individuals he referred to and, obviously, also to my authorities, whose views he commented on at some length. I myself was not present at previous meetings of this Committee, so I should like to reserve my right to make further comments on the remarks just made by the representative of the Syrian Arab Republic.

The CHAIRMAN: Let me say how privileged I feel to have had the opportunity to preside over this 1990 session of the Special Committee. During this session we had the happy opportunity to welcome the accession of Namibia to independence and to full membership of the family of nations. It is our conviction that the new Republic of Namibia, which attained its independence after a long and protracted struggle, will make a significant contribution to the world-wide endeavour to enhance the causes of decolonization, freedom and justice.

(The Chairman)

While we are proud, and rightly so, of the work accomplished and while we rejoice in the victory of the Namibian people, a result of their heroic struggle and the unstinting support of the international community, spearheaded by the United Nations, we cannot, and we do not, lose sight of the remaining tasks still facing the Committee.

The observance of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples has provided us with the opportunity to reflect on how best to meet the expectations and needs of the remaining colonial Territories. In that regard, the extensive exchange of views we had at the two seminars, in Vanuatu and Barbados, especially by representatives of Non-Self-Governing Territories, and the various proposals contained in the summaries of the discussions, which the Committee has just unanimously endorsed, will continue to provide us with an important basis for the formulation of programmes appropriate for follow-up action.

It is gratifying to note that the Committee, in keeping with the principles of the Charter of the United Nations and the Declaration, and acting within the framework of its mandate, has pledged to give full consideration to the recommendations forwarded in the two reports from Vanuatu and Barbados. Likewise, at our present session we heard a number of petitions and statements by representatives from Non-Self-Governing Territories and from organizations concerned with the decolonization process. The aspirations, expectations and concerns of the remaining colonial and Non-Self-Governing Territories, whether in the political, the economic or the social field, have thus been further clarified.

All this, and the many constructive views expressed by members during our deliberations, can help in focusing our efforts on the specific problems of the

(The Chairman)

remaining Non-Self-Governing Territories, most of which are small island Territories scattered in the Pacific and Caribbean regions.

With regard to efforts to streamline the work of the Committee, the diverse opinions and long discussions that marked our informal consultations during the past few weeks, as well as the decisions taken on the issues, provide ample proof of our endeavour to continue to enhance the efficacy of our work without sacrificing matters of principle.

All members of this Committee are well acquainted with the problems of colonialism. The desire to bring that pernicious practice to an end is uppermost in the minds of all members. At this stage, when we are sounding the death-knell of colonialism, we all have in common that important objective. It is the guiding force impelling all our discussions.

(The Chairman)

We remain convinced, therefore, that if we maintain our commitment to the Charter of the United Nations and the mandate entrusted to the Committee by the Declaration and we continue to work with unity of purpose and a spirit of co-operation, discharging our work with a sense of realism and flexibility will help us speed the fulfilment of the objective of complete decolonization by the year 2000.

As we come to the end of this session, I should like to express my sincere appreciation to all the members of the Committee. Without their co-operation and understanding we would not have been able to finish our work-load for this year. It was indeed an honour and an edifying experience for me once again to preside over our deliberations, which were frank and constructive.

I am indeed thankful to you all, and in particular to our three Vice-Chairmen - Ambassador Ricardo Alarcon de Quesada of Cuba, Mr. Sverre J. Bergh Johansen of Norway and Mr. Alexander Slabý of Czechoslovakia - for their contribution to the work of the Committee. In the same vein, I should like to take this opportunity to thank Mr. Mohammad Najdat Shaheed of the Syrian Arab Republic for a task well done. I also thank Mr. Ghazi Jomaa of Tunisia, the Chairman of the Sub-Committee on Small Territories, and Mr. Dag Mjaaland of Norway, Rapporteur of that Sub-Committee, for their invaluable efforts to review the situation of small Territories. My sincere appreciation goes to those members of our Committee, particularly our colleague from the Cuban delegation, Mrs. Maria Cecilia Bermudez, who were instrumental in achieving common positions during the long and difficult informal consultations.

I should also like to pay tribute here to the specialized agencies that have provided information to our Committee and to the administering Powers, whose participation is of great importance to the Committee in the accomplishment of its task.

(The Chairman)

I take this opportunity to thank the Secretary-General, Mr. Javier Pérez de Cuéllar, for his continued efforts in support of the right to self-determination and independence of the peoples still struggling for their freedom and independence. I am also grateful to Mr. Abdulrahim Abby Farah, the Under-Secretary-General of our substantive Department, for all the assistance he and his colleagues in the Committee secretariat have given me and the Committee throughout the year.

On behalf of the Committee, I wish to thank also our interpreters, translators, verbatim reporters, press and conference officers, and many others, without whom we could not have effectively carried out our work.

Distinguished colleagues, I look forward to seeing you at the forthcoming session of the General Assembly, where we need to continue to stand united in defending our decisions and join efforts in advancing the cause of decolonization at the Fourth Committee and beyond. The concrete measures that need to be effected in order to hasten the end of colonialism require our continued commitment and sustained united action. I once again thank you all for your co-operation and wish you a pleasant time during the remainder of the summer.

CLOSURE OF THE SPECIAL COMMITTEE'S MEETINGS IN 1990

The CHAIRMAN: I declare the 1990 session of the Special Committee concluded.

The meeting rose at 5.35 p.m.